

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. CV 23-04281-SK Date: September 6, 2023

Title Kevin Cox v. 8869 - 8871 Santa Monica Boulevard LLC

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Present: The Honorable: Steve Kim, United States Magistrate Judge

Connie Chung  
Deputy Clerk

n/a  
Court Reporter / Recorder

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

None present

None present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL  
FOR LACK OF PROSECUTION**

For the reason checked below, Plaintiff is ORDERED to show cause on or before **September 20, 2023** why this case should not be dismissed for lack of prosecution. *Link v. Wabash R. Co.*, 370 U.S. 626 (1962) (Court has inherent power to dismiss for lack of prosecution on its own motion).

- x Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a Defendant within 90 days after the complaint is filed. Plaintiff has failed to file a proof of service within 90 days of the filing of the Complaint on Defendant.

Plaintiff can satisfy this order by showing that service was effectuated within the 90 day deadline or by showing good cause for the failure to do so. Fed. R. Civ. P. 4(m).

Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the Court finds that this matter is appropriate for submission without oral argument. The Order to Show Cause will stand submitted upon the filing of Plaintiff's response. Failure to respond to this Order to Show Cause will be deemed consent to the dismissal of the action.

IT IS SO ORDERED.